

STATEMENT IN SUPPORT OF PROBABLE CAUSE

IN RE: RODRIGUEZ, Carlos

I, Adrian M. Lopez Jr., declare and state as follows:

On November 28, 2017, Homeland Security Investigations (HSI) Special Agents (SAs) received a request for investigative assistance from the United States Border Patrol (USBP). HSI SAs responded to the Laredo North Border Patrol Checkpoint and conducted post arrest interviews. HSI SAs subsequently arrested Carlos RODRIGUEZ for violations of 8 USC 1324 (a)(1)(A)(ii) and (v)(I), and initiated an investigation.

HSI SAs responded to the Laredo North Border Patrol Checkpoint and discovered the following:

On November 28, 2017, Border Patrol Agents (BPAs) were working their assigned duties at the Laredo North Border Patrol Checkpoint located near the 29 mile marker of Interstate Highway 35 north of Laredo, Texas. At approximately 1:45 p.m., Carlos RODRIGUEZ approached the commercial truck lane driving a 1999 Freightliner and was hauling a flatbed trailer. A BPA signaled to RODRIGUEZ to approach lane six of the checkpoint for an immigration inspection. The BPA stated RODRIGUEZ did not proceed to lane six as directed and instead, drove through the bus lane without being inspected. The BPA stated RODRIGUEZ did not stop, and continued driving toward Interstate Highway 35. The BPA then notified agents near the area that RODRIGUEZ did not stop for inspection. BPAs then utilized their service vehicles to locate the tractor trailer driven by RODRIGUEZ. The BPAs encountered the tractor trailer near the 30 mile marker of Interstate Highway 35 and activated their emergency equipment. The BPAs stated RODRIGUEZ stopped the tractor and pulled off to the side of the highway. A BPA approached the driver side window of the tractor and performed an immigration inspection of RODRIGUEZ. The BPA first advised RODRIGUEZ he was supposed to stop at the truck lane in order to be inspected, and then asked RODRIGUEZ if he was a United States citizen. The BPA stated RODRIGUEZ claimed he was a United States citizen born in Chicago, IL. The BPA stated he noticed RODRIGUEZ was shaking, seemed anxious, eyes wide open, and appeared nervous. The BPA then asked for consent to inspect the inside cab of the tractor. RODRIGUEZ granted the agent consent and opened the door of the tractor. During the inspection of the cab, the BPA discovered twelve people hiding throughout the interior of the cab. An immigration inspection was conducted; where it was determined all twelve were undocumented aliens (UDAs) illegally present in the United States. At this point, RODRIGUEZ, along with the twelve UDAs, was arrested and transported back to the Border Patrol checkpoint for processing.

HSI SAs were notified, arrived on scene, and advised RODRIGUEZ of his Miranda rights which he verbally stated he understood. RODRIGUEZ was also given the opportunity to read his rights in the English language to which he signed and acknowledged. RODRIGUEZ waived his rights and agreed to give a statement without the presence of an attorney.

RODRIGUEZ admitted to smuggling and attempting to transport the twelve UDAs on November 28, 2017. RODRIGUEZ stated he was not aware of the entire smuggling arrangements, but believed he was going to get paid to take the UDAs from Laredo, Texas to San Antonio or Houston, Texas. RODRIGUEZ stated he departed his home in Chicago, IL on 11/26/2017 and flew to Houston, Texas. In Houston, Texas, RODRIGUEZ claimed he picked up the 1999 Freightliner and drove it to Laredo, Texas on 11/28/2017. RODRIGUEZ claimed he waited at a Pilot gas station until receiving a call from an unknown woman, who instructed him to drive to a Silverado's Night Club and a Golden Coral restaurant located in Laredo, Texas. RODRIGUEZ stated he was instructed by the unknown woman to station the tractor trailer at the Silverado's Night Club and to go eat at the Golden Coral. RODRIGUEZ claimed the woman told him to stay at the restaurant for approximately one hour. RODRIGUEZ stated after the hour passed, he returned to his tractor trailer and discovered several people concealed inside the cab. RODRIGUEZ stated he then departed toward the checkpoint. At the checkpoint, RODRIGUEZ stated a BPA signaled to him to station the tractor on lane five but claimed, he was confused and continued driving without stopping. RODRIGUEZ stated BPAs eventually caught up to him and pulled him over. RODRIGUEZ stated the agent asked him if he was a United States citizen and if anyone else was inside the cab. RODRIGUEZ claimed he lied to the agent and told him he was by himself. RODRIGUEZ then stated the agent asked him if he could inspect the interior of the tractor. RODRIGUEZ stated he granted the agent consent, at which point the UDAs were discovered and he was arrested. RODRIGUEZ admitted this was the first time he was smuggling UDAs. RODRIGUEZ claimed he erased and deleted all the contacts to the conspirators of this smuggling event. RODRIGUEZ stated he believed he was instructed to wait in the restaurant in order for the other smugglers to conceal their identities.

Juan Carlos MENDEZ-Chavez, a UDA of Guatemala, stated his family paid an unknown smuggler \$2,500.00 (USD) to be smuggled to New Jersey. MENDEZ-Chavez stated upon arriving in New Jersey, his family was instructed to pay the remaining amount of money. MENDEZ-Chavez stated he illegally entered the United States by wading the Rio Grande River on 11/24/2017 near Laredo, Texas. After crossing the river, MENDEZ-Chavez stated a car driven by an unknown male, picked him up, and drove him to an unknown house. MENDEZ-Chavez stated several days later, a pickup truck, driven by an unknown male, picked him up and took him to a parking lot occupied by several tractor trailers. MENDEZ-Chavez stated the driver of the pickup truck told him to get into the black tractor trailer. MENDEZ-Chavez stated the driver of the tractor trailer was standing outside the driver side door when he arrived. MENDEZ-Chavez was able to positively identify Carlos RODRIGUEZ via six pack photo-array and claimed the man in the photograph was the driver of the black tractor trailer and the man transporting him to the checkpoint.

Rusbin Francisco RAMOS-Robledo, a UDA of Guatemala, stated he paid 8,000 Quetzals (Guatemalan Currency) to be smuggled from Guatemala to the United States. RAMOS-Robledo stated upon arriving in Florida, he was instructed to pay an additional smuggling fee of \$4,000 (USD). RAMOS-Robledo stated he illegally entered the United States by wading the Rio Grande River on 11/20/2017 through Laredo, Texas. RAMOS-Robledo stated after crossing the river, he was picked up by an unknown male driving a car and was then taken to a house. RAMOS-Robledo stated he stayed in that house for several days until a cream in color truck picked him up and transported him to a large parking lot. RAMOS-Robledo stated when

they arrived at the parking lot, the driver of the pickup truck instructed him to get into the black tractor trailer. RAMOS-Robledo stated the driver of the tractor trailer was standing outside speaking with an unknown male. RAMOS-Robledo stated he and the other UDAs, boarded the tractor trailer on the same side the driver was standing in. RAMOS-Robledo stated when he entered the tractor trailer; there were other UDAs already inside. RAMOS-Robledo described the driver of the tractor trailer, as a man wearing a yellow shirt. Once inside, RAMOS-Robledo stated the man wearing the yellow shirt entered the tractor and began driving toward the checkpoint where they were arrested.

Miguel Angel SANCHEZ-Clemente, a UDA Mexican Citizen, stated he made arrangements to be smuggled to Los Angeles. SANCHEZ-Clemente stated he was instructed to pay \$3,000.00 (USD) upfront and an additional smuggling fee of \$1,000 (USD) upon arriving at his final destination. SANCHEZ-Clemente stated he illegally entered the United States by wading the Rio Grande River on 11/28/2017 through Laredo, Texas. SANCHEZ-Clemente stated after crossing the river, a brown sedan driven by an unknown male, picked him up and transported him to a house. SANCHEZ-Clemente stated after a few hours, a black pickup truck, driven by an unknown male, took him to a parking lot. SANCHEZ-Clemente stated the driver of the pickup truck instructed him to get into a black tractor trailer. SANCHEZ-Clemente claimed another man was near the black tractor trailer when he arrived. SANCHEZ-Clemente was able to positively identify Carlos RODRIGUEZ via six pack photo-array, and claimed he was the driver of the tractor trailer transporting him to the checkpoint.

Jose Antonio FRIAS-Flores, a UDA Mexican Citizen, stated a friend made the arrangements for him to be smuggled to Denver, Colorado for \$3,000.00 (USD). FRIAS-Flores stated he illegally entered the United States by wading the Rio Grande River through Laredo, Texas on 11/27/2017. FRIAS-Flores stated after crossing the river, an unknown male in a green vehicle picked him up and transported him to an unknown house. FRIAS-Flores stated he spent a day in the house until a black pickup truck arrived, picked him up, and transported him to a parking lot occupied by several tractor trailers. FRIAS-Flores stated the driver of the pickup truck instructed him to get into the black tractor trailer. FRIAS-Flores stated the driver of the black tractor trailer was standing outside speaking with an unknown male when he boarded the tractor trailer. FRIAS-Flores stated several UDAs were already inside the cab of the tractor when he arrived. FRIAS-Flores was shown a six pack photo array of RODRIGUEZ (Located in photo slot number 3). FRIAS-Flores stated he believed the person in slot number 3 (Carlos RODRIGUEZ) was the driver of the black tractor-trailer, but he could not sign or circle the photograph because he was not absolutely certain. FRIAS-Flores then advised an HSI TFO, the man sitting outside of the holding cell was the driver of the black tractor-trailer (Carlos RODRIGUEZ) was the only person sitting outside the holding cell.

I declare (certify, verify, or state) under penalty of perjury that the forgoing is true and correct.
Executed on the 28th day of November, 2017.



Adrian M. Lopez Jr.
Special Agent
Homeland Security Investigations

Having reviewed the foregoing declaration, I find probable cause that the defendant(s) named above committed an offense against the laws of the United States and may therefore be further detained pending presentment before a judicial officer.

Executed on the _____ day of _____, 2017 _____.

UNITED STATES MAGISTRATE JUDGE